

Pages 1-13

BOSTON POLICE DEPARTMENT

INTERNAL AFFAIRS DIVISION
IAD CASE NO.: 171-01

INTERVIEW OF POLICE OFFICER WILLIAM SHAW

Requested By: Sergeant Detective John O'Malley

Held at: Boston Police Headquarters
1 Schroeder Plaza
Boston, Massachusetts 02120

Taken on: September 26, 2001

Attachment #16

1 A. No. I had determined that there were enough
2 officers in the area to maintain my position and
3 there was no call for assistance needed and there
4 were enough officers in the area to handle that
5 part of the investigation.

6 Q. Do you have any first-hand information concerning
7 an allegation that Rule 318D, Strip Search and
8 Body Cavity Procedures was violated in the course
9 of this surveillance and investigation on Marvin
10 Street in that Mr. Lacey was a subject of a strip
11 search and violation of Department policy?

12 A. No. I have no information to that effect.

13 Q. Are you aware of any physical contact involving
14 Officer Kenneth Hearn, Detective Moses Acloque,
15 Officer Juan Cione and Mario Lacey?

16 A. I do know that those officers were the officers in
17 the area of Marvin Street and were approaching the
18 suspect. I have no first-hand -- I made no first-
19 hand observations and my only information as to
20 what happened on Marvin Street was from radio
21 dispatchers between the units on Channel 10.

22 Q. Throughout this encounter did you maintain your
23 position at Roxbury Street?

24 A. Yes, I did.

1 Q. Did you have any conversation with any of the
2 officers involved in this matter following the
3 conclusion of the encounter with Mr. Lacey?

4 A. At the conclusion of the encounter with Mr. Lacey
5 I had just radio transmissions that we were unable
6 to recover any product directly from Mr. Lacey and
7 that since we had made our presence know, any
8 further surveillance in the area would be
9 fruitless and so we had decided to pick another
10 area to work. I believe we proceeded to conduct a
11 further surveillance in the Upham's Corner area
12 after that surveillance was terminated after the
13 encounter with Mr. Lacey.

14 Q. Are you aware of any allegations that Officer
15 Hearns made a visual inspection of Mr. Lacey's
16 buttocks area in that Officer Hearns reportedly
17 pulled back the waistband of Mr. Lacey's pants and
18 viewed the area of his buttocks?

19 A. At a later time I was informed that a complaint
20 had been made against Officer Hearns and other
21 officers from the DCU by Mr. Lacey.

22 Q. So regarding that question, do you have first-hand
23 information about that allegation?

24 A. I have no first-hand information or observations

11

1 about the allegation since I was approximately a
2 block away.

3 Q. Did Officer Hearns make any statement to you that
4 he had made an examination of Mr. Lacey in any
5 capacity?

6 A. I can't recall Officer Hearns making, you know,
7 other than having an encounter with Mr. Lacy and
8 being the subject of an investigation. I can't
9 recall Officer Hearns saying anything to me about
10 it.

11 SERGEANT DETECTIVE O'MALLEY:

12 Sergeant Hechavarria, do you have any
13 questions?

14 SERGEANT DETECTIVE HECHAVARRIA: No
15 questions.

16 SERGEANT DETECTIVE O'MALLEY: Mr.
17 Anderson?

18 MR. ANDERSON: No questions.

19 SERGEANT DETECTIVE O'MALLEY: Is
20 there anything we haven't covered, Bill, that
21 you might want to clarify or expand on?

22 MR. SHAW: I think that should be
23 about it.

24 SERGEANT DETECTIVE O'MALLEY: I